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*Attorneys for The Receivables Exchange, LLC*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ICICI BANK UK PLC,

Plaintiff,

- against -

CARGILL, INCORPORATED and CARGILL  
FINANCIAL SERVICES INTERNATIONAL,  
INC.,

Defendant.

CARGILL, INCORPORATED and CARGILL  
FINANCIAL SERVICES INTERNATIONAL,  
INC.,

Third-Party Plaintiffs,

- against -

THE RECEIVABLES EXCHANGE, LLC,

Third-Party Defendant.

ICICI BANK UK PLC,

Plaintiff on the  
Additional Claim,

- against -

THE RECEIVABLES EXCHANGE, LLC,

Defendant on the  
Additional Claim.

Case No. 15-5379 (VEC)

**NOTICE OF MOTION TO  
DISMISS ICICI BANK UK PLC'S  
COMPLAINT AGAINST THE  
RECEIVABLES EXCHANGE, LLC**

**ORAL ARGUMENT REQUESTED**

TAKE NOTICE, that upon the Declaration of Michael E. Sims dated  
October 29, 2015, and the exhibits attached thereto, the accompanying Memorandum of

Law, and upon all pleadings and proceedings previously had herein, Third-Party Defendant/Defendant on the Additional Claim The Receivables Exchange, LLC (“TRE”) will make a motion before the Honorable Valerie Caproni, at the United States Courthouse for the Southern District of New York, 40 Foley Square, Courtroom 443, New York, New York, for an order (i) pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, dismissing plaintiff ICICI Bank UK plc’s complaint against TRE, and (ii) granting such other and further relief as the Court deems just and proper.

TAKE FURTHER NOTICE that, pursuant to Rule 6.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, any opposing affidavits and answering memoranda shall be served within fourteen days after service of this motion.

Dated: New York, New York  
October 29, 2015

ZEICHNER ELLMAN & KRAUSE LLP

By:           /s/ Michael E. Sims            
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